

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: T. OGAWA et al.)	Confirmation No.: 1486
)	
Application No.: 10/564,761)	Art Unit: 3721
)	
Filed: January 17, 2006)	Examiner: L. Low
)	
For: CYLINDRICAL CONTACT ARM)	
HAVING TAPERED GUIDE SECTION)	
IN A POWER-DRIVEN)	
NAILING MACHINE (As Amended))	

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief -Patents
Alexandria, VA 22314

Sir:

APPELLANTS' BRIEF UNDER 37 C.F.R. § 41.37 TRANSMITTAL FORM

1. Transmitted herewith is an Appellants' Brief Under 37 C.F.R. § 41.37, which is being submitted further to the Notice of Appeal filed October 8, 2009.
2. Additional papers enclosed.

<input type="checkbox"/>	Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal (Corrections)
<input type="checkbox"/>	Information Disclosure Statement
<input type="checkbox"/>	Form PTO-1449, ____ references included
<input type="checkbox"/>	Citations
<input type="checkbox"/>	Declaration of Biological Deposit
<input type="checkbox"/>	Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
3. Oral Hearing Under 37 C.F.R. § 1.194

<input type="checkbox"/>	Oral hearing is hereby requested.
<input type="checkbox"/>	Fee under 37 C.F.R. § 1.17(d) is enclosed.
4. Extension of time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply.

☐ Appellants petition for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 130.00	\$ 65.00
<input type="checkbox"/> two months	\$ 480.00	\$245.00
<input type="checkbox"/> three months	\$1,110.00	\$555.00
<input type="checkbox"/> four months	\$1,730.00	\$865.00

Extension of time fee due with this request: \$

☒ If an extension of time is required, please consider this a Petition therefor.

5. **Fee Payment**

☐ No fee is to be paid at this time.

☒ The Commissioner is hereby authorized to charge ~~\$540.00~~ for the appellants' brief fee 37 C.F.R. § 41.20(b)(2) to Deposit Account No. 50-0310.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: November 30, 2009

By: 

Arthur M. Antonelli

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